

## REMARKS

Reconsideration of the above-identified patent application in view of the amendments above and the remarks following is respectfully requested.

Claims 3-5, 10-18 and 26-42 are in this case. Claims 10-12, 17, 18, 26-29, 35, 36 and 38-43 were withdrawn by the Examiner from consideration as drawn to a non-elected invention. Claims 3-5, 13-16, 30-34 and 37 have been rejected under § 102(e). Independent claim 16 has been amended. New dependent claim 43 has been added.

The claims before the Examiner are directed toward a portable device, for data storage and transfer, that optionally functions in a stand-alone mode while exchanging data with another, similar device, and toward a system of such devices. The device includes a non-volatile memory for storing the data and a single interface that the device uses to exchange data with other such devices. The operations of both the device and a similar device with which the device exchanges data are restricted to data storage and transfer.

### § 102(e) Rejections – Bouet ‘810

The Examiner has rejected claims 3-5, 13-16, 30-34 and 37 under § 102(e) as being anticipated by Bouet, US Patent No. 6,879,810 (henceforth, “Bouet ‘810”). The Examiner’s rejection is respectfully traversed.

Bouet ‘810 teaches a method of controlling the intercommunication of devices that communicate with each other using a low power RF protocol such as Bluetooth, in a RF-interference-sensitive environment such as an aircraft or a hospital. The devices that are taught by Bouet ‘810 include (column 1 lines 46-48):

...a personal computer, a portable phone such as a GSM, IS-136, GPRS or 3G phone, or a personal digital assistant...

One aspect of the present invention that renders the present invention patentably distinct from the teachings of Bouet is the limitation, recited in independent claims 16 and 34, that the operations of the portable devices of the present invention are limited, with respect to the data stored in their memories, to data storage and transfer. None of the devices taught by Bouet '810 satisfy this limitation. Personal computers and personal digital assistants obviously have data display capabilities as well as data processing capabilities unrelated to data storage and implemented by well-known applications such as word processing applications that can be loaded into these devices. Portable phones have data display capabilities and manual data entry capabilities. Even terminal 10 of Figure 2a that is cited by the Examiner includes a display 112 for displaying data and so has a capability, with respect to the data stored in ROM 116, beyond just data storage and transfer. Thus, the present invention, as recited in independent claims 16 and 34, is neither taught nor hinted nor suggested by Bouet '810.

Independent claim 34 includes another limitation that renders this claim patentably distinct from the teachings of Bouet '810, to wit, that the single device interfaces of the portable devices support direct data transfer between the devices. This is in contrast *e.g.* to wireless terminals 10 and 15 of Bouet '810 that, as Bluetooth slaves, communicate with each other via Bluetooth master 25, and not directly with each other.

With independent claim 16 allowable in its present form it follows that claims 3-5, 13-16, 30-33 and 37 that depend therefrom also are allowable.

### § 102(e) Rejections – Beuk et al. ‘085

The Examiner has rejected claims 3-5, 13-16, 30-34 and 37 under § 102(e) as being anticipated by Beuk et al., US Patent No. 5,797,085 (henceforth, “Beuk et al. ‘085”). The Examiner’s rejection is respectfully traversed.

Beuk et al. ‘085 teach a method for wireless intercommunication of several portable devices with minimal mutual interference. Among the portable devices taught by Beuk et al. ‘085 are VCRs (column 1 line 62), TV remote controls (column 1 lines 63-64), hand-held game computers (column 6 line 58) and personal digital assistants (column 7 line 1). These devices all lack the limitation discussed above that render independent claims 16 and 34 patentably distinct from the teachings of Bouet ‘810, *i.e.*, that the operations of the portable devices of the present invention are limited, with respect to the data stored in their memories, to data storage and transfer, with one exception: TV remote controls. The codes that a TV remote control transmits to a TV arguably are data stored in the TV remote control, and the only functionalities of the TV remote control with respect to that data are to store that data and to transmit that data to a TV.

Independent claim 34 is patentably distinct in its present form from the teachings of Beuk et al. ‘085 because independent claim 34 recites a system of portable devices that communicate with each other. The TV remote controls of Beuk et al. ‘085 do not communicate with each other. The TV remote controls of Beuk et al. ‘085 communicate only with TVs. There is neither a hint nor a suggestion in Beuk et al. ‘085 of a system of portable devices that satisfy all the limitations of independent claim 34 and that communicate with each other.

Independent claim 16 has been rendered similarly patentably distinct from the teachings of Beuk et al. ‘085 by being amended to limit the transfer of the data by the

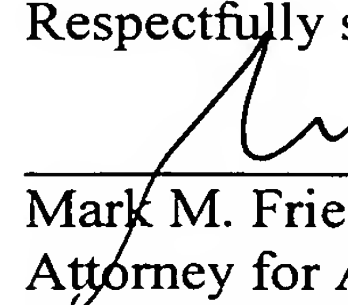
device interface to transfer between the device and another such device. Support for this amendment is found in the specification in Figure 2 that shows communication between two identical devices 12 and 32 supported by the devices' device interfaces 16.

**New Claim**

To further distinguish the present invention from the cited prior art, new claim 43 has been added. New claim 43 adds to claim 16 the limitation, from claim 34, that the single device interface supports direct data transfer between the portable device and the other portable device. Support for new claim 43 is found in the specification in Figure 2 that shows devices 12 and 32 in direct communication with each other via their device interfaces 16.

In view of the above amendments and remarks it is respectfully submitted that independent claims 16 and 34, and hence dependent claims 3-5, 13-15, 30-34, 37 and 43 are in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,

  
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